

## ARTICLE III. - PARADES

## Sec. 24-46. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Mayor* includes the mayor and his designee.

*Parade* means any assemblage of ten or more persons participating in any organized march, ceremony, or procession of any kind, in or upon any street, sidewalk, or other public place owned or under the control of the city.

*Permit* means a written authorization as required by this article.

*Special event* means any planned or organized event intended to attract and/or assemble ten or more persons on city-owned property, or within state or city rights-of-way, for festivals, celebrations, concerts, shows, exhibitions, or similar occurrences.

*Venues* means those streets and properties either owned by the city or for which the city has joint use or potential joint use suitable for the assembly of citizens for parades and/or special events.

(Ord. No. 2014-27, § 1, 12-15-2014)

## Sec. 24-47. - Permit required.

- (a) No person shall engage in, participate in, aid, form, or start, any parade or special event unless a permit shall have been obtained from the mayor, and provided, further, that no person may conduct or otherwise participate in any parade or special event between 10:30 p.m. and 6:00 a.m.
- (b) This section shall not apply to:
  - (1) Funeral processions supervised by a licensed mortuary.
  - (2) Any governmental agency acting within the scope of its function.
  - (3) Picketing on any public sidewalks.
  - (4) Temporary closing of streets by a department of the city for activities related to maintenance, repair, construction, alteration or other official duties of such department.

(Ord. No. 2014-27, § 2, 12-15-2014)

## Sec. 24-48. - Application.

An individual seeking issuance of a permit shall file an application with the mayor on forms provided by the city.

- (1) *Filing period* . An application for a permit shall be filed with the mayor at least ten business days and no more than 180 days prior to the time at which it is proposed to conduct the parade or special event. The mayor shall not approve any application for a permit when the mayor finds that there is a conflict in both schedule and location (venue) with some other event for which a permit has been previously granted.
- (2) *Contents* . The application for a permit shall set forth the following information:
  - a. The name, address, and telephone number of the individual seeking to conduct such parade or special event.
  - b. If the parade or special event is proposed to be conducted for, on behalf of, or by, an organization: the name, address, and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization.
  - c. The name, address, and telephone of the person to be in charge of the parade or special event and who will accompany it and carry the permit at all times.
  - d. The date on which the parade or special event is to be conducted and the hours that such parade or special event will start and terminate.
  - e. If the proposed activity is a parade, then the proposed route to be traveled for the parade, the starting point, and the termination point. If the proposed activity is to be a special event, then the proposed, or requested, location and time of such special event. For either activity, the applicant shall include a statement as to whether the parade or special event is proposed to occupy all or any portion of the width of any street within the city.
  - f. The approximate number of persons who, and animals and vehicles which, will constitute such parade or special event; the general type of animals and general description of the vehicles.
  - g. If the parade or special event is designed to be held by, or on behalf of, or for, any individual or entity other than the applicant, the applicant for such permit shall file with the mayor a written document from the person or entity proposing to hold the parade or special event, authorizing the applicant to apply for the permit in the person's or entity's behalf.
  - h. The location by address or commonly known name of any assembly area that the applicant proposes as the venue, together with a description of the activities planned during the event, including, but not limited to, a description of any sound amplification equipment that will be used during the assembly.
- (3) *Fee* . The application shall be accompanied by a nonrefundable application fee of \$25.00.

(Ord. No. 2014-27, § 3, 12-15-2014)

Sec. 24-49. - Requirements for issuance.

- (a) Within two business days after the filing thereof, the mayor shall issue a permit as provided in this section if:

- (1) The applicant for the permit has agreed to abide by the standards set forth in this article which are necessary measures to promote the health, safety, and welfare of the community;
  - (2) The location proposed for the event appears to be a proper venue taking into consideration the number of expected participants, the type of event, any resources requested of the city, the volume of sound, the length of the proposed event, the anticipated parking needed; and, the venue can be used for such an event so that the reasonable expectations of residents and businesses can be balanced against the reasonable needs of the applicant;
  - (3) No other parade or special event has previously been issued a permit for the same date and location as requested in the application. If two or more applications request the same date for a parade or special event, the mayor shall consider the applications in the order they were filed;
  - (4) The proposed parade or special event does not conflict with the temporary closing of streets by a department of the city for activities related to maintenance, repair, construction, alteration or other official duties of such department;
  - (5) The time, route, or size of the proposed parade or special event will not disrupt the use of a public vehicular street ordinarily subject to significant congestion or traffic, unless reasonable provision can be made by the city for the safe and orderly movement of vehicular and pedestrian traffic along alternate routes during the proposed parade or special event; and
  - (6) The conduct of the parade or special event will not require the diversion of so great a number of city police officers to properly police the parade or special event and the areas contiguous thereto, as to prevent normal police protection in the city.
- (b) If the proposed parade or special event route will include any state or federal highways located in the city, all necessary requirements of the Arkansas State Highway and Transportation Department will be obtained and followed. Any cost related to such requirements shall be borne by the applicant.
- (c) The applicant shall hold harmless the city, its officers and employees from all damage, expense, claims or liability arising out of any alleged damages of any nature to any person or property due to the parade or special event.

(Ord. No. 2014-27, § 3, 12-15-2014)

Sec. 24-50. - Denial of permit request; alternative permit; appeal.

- (a) If the mayor disapproves the application, he shall notify the applicant of the decision, stating the reasons for the denial of the permit. Upon the denial of an application for a permit made pursuant to this article, the applicant may appeal to the city council within three business days from the date notice of the denial is mailed to the applicant by first-class mail to the address of the applicant on the application. Appeal may be made by filing an appeal application with the mayor who shall set the appeal for hearing by the city council within five business days from the filing of the appeal.
- (b)

The mayor, in approving an application for a permit, may authorize the parade or special event at a date, time, route or location different from that proposed by the applicant. The mayor shall state the reasons for the issuance of the alternative permit location based on the criteria listed in section 24-48(b). An applicant desiring to accept a permit for a place and/or time differing from that proposed shall, within five days of the issuance of the permit, file a written notice of acceptance of the same with the mayor. Appeal of location may be made by filing an appeal application with the mayor who shall set the appeal for hearing by the city council within five business days from the filing of the appeal.

(Ord. No. 2014-27, § 4, 12-15-2014)

Sec. 24-51. - Standards applicable to parades and special events.

- (a) No hand-carried signs or posters transported in any parade or special event shall be of greater density than eight-ply 0.030-thickness cardboard. No support for such sign or poster shall be of a metallic substance or thicker than one inch.
- (b) The person designated by the applicant as the person responsible for the physical conduct of the parade or special event shall be physically present and accept responsibility for compliance with any and all terms of the permit as set forth in section 24-52.
- (c) The applicant shall file with the mayor a waiver signed by the applicant releasing and saving the city and its employees harmless for any claims, actions, and lawsuits, arising out of the conduct of the parade or special event, excepting injuries or damages proximately caused by the city.
- (d) Every parade shall follow the route designated and approved by the mayor, and every special event shall remain in the parameters designated and approved by the mayor.
- (e) No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or special event, or with any person, vehicle, or animal participating or used in a parade or special event.
- (f) No child under the age of ten years shall be permitted to participate in a parade or special event without being accompanied by an adult at least 18 years of age who will be responsible for such child. For purposes of this subsection, one adult may supervise no more than ten children who will be responsible for such children.
- (g) No vicious animal, whether leashed or unleashed, shall be allowed to participate in or proceed along the route of a parade or in a special event.
- (h) No permanent markings of any kind, such as, but not limited to, spray paint may be used on city streets for any purpose related to parades or special events unless approved by the city. Unless approved, only non-permanent, water-soluble markings, including, but not limited to, chalk, may be used for such purposes.
- (i) The person designated in the application as responsible for the physical conduct of the parade or special event shall be responsible for ensuring that any booths, stands, or other equipment used in the parade or special event participants are removed from the area within a reasonable amount of time.

(Ord. No. 2014-27, § 5, 12-15-2014)

Sec. 24-52. - Responsibility of participants and person in charge.

- (a) Participants in a parade or special event are required to abide by this article and the terms of the permit issued pursuant to this article. Willful violation thereof will constitute a violation of this article and is punishable as provided by law.
- (b) The person designated in the application as responsible for the physical conduct of the parade or special event shall be responsible for monitoring the conduct of the participants in the parade or special event.

(Ord. No. 2014-27, § 6, 12-15-2014)

Sec. 24-53. - Revocation of permit.

The mayor or his designated agent may revoke any permit granted for a parade or special event if:

- (1) Any participant in a parade or special event violates the standards for the conduct of parades or special events set out in this article; or
- (2) Any participant in a parade or special event fails to comply with the formation, terms, or conditions set out in the application and permit, or fails to comply with the terms of this article.

(Ord. No. 2014-27, § 7, 12-15-2014)